

## Chapter Pers 15

## TRANSFER

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**Pers 15.01 Definition.** A transfer means the voluntary or involuntary movement of an employe from one position to a different position assigned to a class having the same pay rate or pay range maximum or to a position in a class assigned to a counterpart pay rate or pay range and for which the employe is qualified to perform the work after customary orientation provided for newly hired workers in such positions.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, December, 1976, No. 262, eff. 1-1-77; am. Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.02 Authorization by administrator.** Authorization by the administrator as required under s. 230.29, Stats., means that the conditions of transfer as defined in s. Pers 15.01, Wis. Adm. Code, have been met.

(Note: Pers 15.02 formerly referred to lateral movements while on probation, and referenced Pers 13.07. Such movements are now defined as transfers and are covered under this chapter)

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. and recr. Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.03 Approval by director.** **History:** Cr. register, October, 1972, No. 202, eff. 11-1-72; r. Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.03 Transfer between agencies.** An employe who transfers between agencies may be required to serve a probationary period resulting from the transfer at the discretion of the appointing authority. An employe serving such a probationary period or who has transferred under s. Pers 15.07, Wis. Adm. Code, may be separated from the service without the right of appeal at the discretion of the appointing authority. See s. 230.31, Stats., for provisions relating to the reinstatement eligibility of a person so dismissed.

**History:** Cr. October, 1972, No. 202, eff. 11-1-72; renum. from Pers 15.04 (1) and am., Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.04 Transfer between different employing units of the same agency.** An employe who transfers between different employing units of the same agency may be required to serve a probationary period at the discretion of the appointing authority.

(1) If the transfer is to a position in the same class and a probationary period resulting from the transfer is not required, the employe retains permanent status in class previously acquired. If the transfer is to a position in a different class and no probationary period resulting from the transfer is required, the employe shall be immediately granted permanent status in class. An employe who transfers or who is transferred

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while serving a probationary period may continue in the probationary status being served prior to transfer or begin a new probationary period under s. Pers 15.07, Wis. Adm. Code.

(2) If a probationary period resulting from the transfer is required, the appointing authority, at any time during this period, may remove the employe from the position to which the employe transferred, without the right of appeal. An employe so removed shall be restored to the employe's previous position or transferred to a position for which the employe is qualified in the same pay range or pay rate or a counterpart pay range or pay rate without a break in employment. Any other removal, suspension without pay, or discharge during a probationary period resulting from transfer shall be subject to s. 230.34, Stats.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; renum. (2) to be (1) and (2) and am., Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.05 Pay on transfer.** **History:** Cr. register, October, 1972, No. 202, eff. 11-1-72; r. Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.05 Transfer within the same employing unit.** An employe who transfers or who is transferred within the same employing unit either to a position in a different class to a different position in the same class shall not be required to serve a probationary period.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (3), Register, September, 1975, No. 237, eff. 10-1-75; renum. from Pers 15.04 (3) and am., Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.06 Pay on transfer.** See s. Pers 29.03 (5), Wis. Adm. Code.

**History:** Cr. Register, February, 1981, No. 302, eff. 3-1-81.

**Pers 15.07 Transfer while serving a probationary period.** (1) Employes serving a probationary period may transfer or be transferred to a different position. The probationary period time served prior to such movement shall be carried over if the transfer is within an employing unit. If the transfer is between employing units of the same agency or between agencies the probationary period time served prior to such movement may be carried over at the discretion of the appointing authority.

(2) Where time served in the probationary period may be carried over at the discretion of the appointing authority, the appointing authority shall give written notice to the employe at the time of appointment of the determination whether the probationary period may be carried over. A record of that determination shall be placed in the employe's personnel file.

**History:** Cr. Register, February, 1981, No. 302, eff. 3-1-81.